

REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the most recent Office Action. Claim 10 is amended above. Claims 12, 16 and 19 are rewritten in independent form without any substantive amendment. New claims 24-29 are added above.

Applicant respectfully traverses the rejection under 35 U.S.C. §112 of claim 10. Relative rotary motion simply means that the stator and rotor can rotate relative to each other. In one example, the rotor will rotate relative to the stator. In another example, the stator will rotate relative to the rotor. In a third example, both could be rotating simultaneously. The claim language is clear.

Applicant respectfully traverses the rejection of claim 19 under 35 U.S.C. §112. The claim is clear on its face. A bonding agent is claimed that bonds the stator core portions together. There is no burden on Applicant to specify the bonding agent any more than that which is in the claim. The fact that Applicant's claim is broad in scope does not make it indefinite. There is no reason for claim 19 to be rejected under 35 U.S.C. §112.

Applicant respectfully traverses the rejections of claim 10 and 16 as being anticipated by the *Lange* '072 patent. With regard to claim 16, nothing in *Lange* has a generally annular ring. The Examiner properly acknowledges that the stator core portions 6 or 9 are U-shaped armature elements. A U-shaped element does not constitute an annular ring. By definition, the two are not the same. Therefore, it is impossible for the *Lange* '072 patent to anticipate claim 16.

With regard to claim 10, there is nothing within *Lange* that constitutes a ring of a stator core portion that is coextensive with the coil as claimed. The individual U-shaped elements of the *Lange* patent do not constitute a ring and are not coextensive as claimed in claim 10.

Applicant respectfully traverses the rejections of claims 14 and 21 under 35 U.S.C. §103

based upon the *Lange* reference. Given that claim 10 is not anticipated as noted above, the *Lange* reference cannot render claims 14 and 21 obvious.

Applicant respectfully traverses the rejection of claims 11 and 12 under 35 U.S.C. §103 based upon the proposed combination of the *Lange* and *Weh* references. With regard to claim 11, since claim 10 is not anticipated the additional teachings of the *Weh* reference does not result in the invention of claim 11 and, therefore, the claim cannot be considered obvious.

With regard to claim 12, there is no benefit to making the proposed combination of the *Lange* and *Weh* references and, therefore, no motivation and no *prima facie* case of obviousness. There is nothing within either reference that suggests the combination proposed by the Examiner. The *Lange* reference relies upon the stator core portions 7 on opposite sides of the magnets 13 from the core portions 6 to achieve the magnetic flux effect of that reference. Therefore, adding the teachings of the *Weh* reference would be redundant, at best.

Further, one cannot use Applicant's disclosure as a road map for a suggestion to combine references. Absent Applicant's disclosure, there is no motivation for making the proposed combination and claim 12 cannot be considered obvious.

Applicant respectfully traverses the rejection of claim 15 under 35 U.S.C. §103 based upon the proposed combination of the *Lange* reference with *von Zweghergk*. Again, there is no motivation for making the proposed combination and no *prima facie* case of obviousness. Further, even the proposed combination does not result in the claimed invention. Claim 15 recites that the stator core portions comprise a laminated ring. The *von Zweghergk* reference never discloses a ring. The laminated steel stator elements of that reference are generally rectangular with a central aperture and are U-shaped. (See, e.g., column 2, lines 17-21; 26-33 and column 1, lines 17-19). Accordingly, even if the combination could be made, the result is not the same as the claimed

invention and claim 15 cannot be considered obvious.

Applicant is grateful for the indication of allowable subject matter and respectfully submits that all claims are allowable. Applicant would appreciate if this application were finally allowed as it has now been pending for about 3½ years.

If the Examiner believes that a telephone conference will facilitate moving this case forward to being issued, Applicant's representative is happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

Applicant believes that additional fees in the amount of \$258.00 is required for three additional independent claims. A Credit Card Payment Form is enclosed. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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